

## **APPENDIX H**

### **ARB BART Regulation Comment Letter**

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**Terry Tamminen**  
Agency Secretary

# Air Resources Board

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**Alan C. Lloyd, Ph.D.**  
**Chairman**  
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**Arnold Schwarzenegger**  
Governor

July 2, 2004

Mr. Michael O. Leavitt  
Administrator  
United States Environmental Protection Agency  
c/o OAR Docket  
Mailcode: B102  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

RE: Docket ID No. OAR-2002-0076  
Regional Haze Regulations and Guidelines for Best Available Retrofit Technology  
(BART) Determinations

Dear Administrator Leavitt:

The California Air Resources Board (ARB) appreciates the opportunity to review and comment on the United States Environmental Protection Agency (U. S. EPA) Proposed Rule for Regional Haze Regulations and Guidelines for Best Available Retrofit (BART) Determinations. We commend U. S. EPA on harmonizing the regional haze and PM2.5 State Implementation Plan (SIP) submittal schedules. California's strategy for meeting the health-based National Ambient Air Quality Standards will be a key component in reducing regional haze in our Class 1 areas. The common regional haze and PM2.5 SIP submittal date of January 31, 2008 allows an improved and coordinated planning process for these closely linked programs.

We also appreciate the additional flexibility provided in the revised BART Guidelines. Maintaining flexibility in measures to achieve reasonable progress goals allows states to develop appropriate strategies according to the contributions to regional haze at each Class 1 area. The proposed rule and Guidelines support state discretion in the process for determining BART-eligible sources, evaluating whether BART is required, and determining which BART controls will be most effective in each of the respective source categories.

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Website: <http://www.arb.ca.gov>.*

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California Environmental Protection Agency

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Many California air districts have already adopted and implemented rules requiring best available retrofit control technology (BARCT) as part of planning requirements for meeting both the federal and California health-based air quality standards. California is prepared to demonstrate that specific air district BARCT rules meet the BART-level requirements of the regional haze rule on a source category basis. This ensures that sources will have installed BART equipment and practices by the required deadline of the regional haze rule.

Given the large number of BART-eligible sources in California, this rule-based approach provides a more efficient process, while still ensuring that the regional haze rule BART control requirements are met. It will enable the ARB and the air districts to focus more effectively on air district rules or Title V permits that must be upgraded to BART level. ARB believes that this rule-based alternative approach meets the intent of 40 CFR 51.308(e) and the BART Guidelines, and achieves the same results as a case-by-case BART determination.

Thank you for this opportunity to comment on the proposal. If you have further questions, you may contact Lynn Terry, Deputy Executive Officer at (916) 322-2739.

Sincerely,

***Signed by LMT for***

Catherine Witherspoon  
Executive Officer

cc: Ms. Deborah Jordan, Director  
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Lynn Terry  
Deputy Executive Officer